Compensation for damages due to negligence of public servants

2591. SHRI PARMESHWAR KUMAR AGARWALLA: Will the PRIME MINISTER be pleased to state:

(a) whether it is a fact that Indian citizens have a right to monetary compensation for damages suffered due to wrongs committed by and/or negligence by public servants

(b) whether it is also a fact tha Government are liable for wrong committed by their officers, while on public duty;

(c) if so, under what Constitutional and legal provisions;

(d) if not, why and whethe these are not covered under the Fundamental Rights of citizens;

(e) whether Government would introduce provisions to facilitate such claims and to regulate and control claims under Public Law an identify areas for limiting the applicability of principles of sovereign immunity; and

(f) if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL PUBLIC GRIEVANCES AND PENSIONS AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI S. R. BALASUBRAMONIYAN): (a) Yes, Sir

(b) Yes, Sir.

(c) The liability is determined under the general law of Torts. However, some specific laws, e.g., Motor Vehicle Act, 1988 and Consumer Protection Act, 1986 are laws made by Parliament regulating claims or tortious liability.

(d) In view of reply to (c), this does not arise.

(e) No such proposal is under consideration at present.

(f) The proposals for enacting laws dealing with specific subjects are processed by concerned Ministry of the Government as and when need is felt.

केन्द्रीय भंडार की खुदरा दुकानों में दर सूची

2592. **श्री सूर्यभान पाटील वहाडणे :** क्या **प्रधान मंत्री** यह बताने की कृपा करेंगे कि :

(क) केन्द्रीय भंडार की अलग-अलग दुकानों में वस्तुओं की दरों में अन्तर होने के क्या कारण हैं ;

(ख) केन्द्रीय भंडार के कर्मचारियों द्वारा निर्धारित वजन से कम मात्रा में सामानों को पैक किए जाने और घटिया वस्तुओं की बिक्री किए जाने से संबंधित खबरें आने के बाद सरकार द्वारा उनके विरुद्ध क्या कार्यवाही की गई है ; और

(ग) सरकार द्वारा खुदरा दुकानों पर दाम सूची प्रदर्शित नहीं किए जाने और गणना करने वाली मशीनों में वस्तुओं के कोड अंकित नहीं रहने के कारण ग्राहकों को होने वाली समस्याओं का समाधान करने के लिए क्या कदम उठाए जा रहे हैं ?

कार्मिक, लोक शिकायत और पेंशन मंत्रालय में राज्य मंत्री तथा संसदीय कार्य मंत्रालय में राज्य मंत्री (श्री एस0आर0 बालासुब्रहमण्यन) : (क) केन्द्रीय भंडार के विभिन्न शाखा स्टोरों में बेची जाने वाली किसी खेप विशेष की सभी वस्तुओं का विक्रय-मूल्य एक समान होता है ।

(ख) हाल ही में पैक पावरण पर दर्शाए गए वजन से कम वजन की अथवा घटिया किस्म की डिब्बा बंद वस्तुओं की बिक्री के संबंध में कोई शिकायत प्राप्त नहीं हुई है ।

(ग) केन्द्रीय भंडार के विद्यमान अनुदेशों के अनुसार सभी स्टोरों द्वारा पैक

पर रखी सभी वस्तुओं तथा अत्यंत आवश्यक वस्तुओं की मूल्यसूची बाहर रख गए सूचनापट्ट पर प्रदर्शित की जानी अपेक्षित है । अत्यंत आवश्यक वस्तुओं के मूल्य साप्ताहिक आधार पर दैनिक समाचार पत्रों में प्रकाशित करवा के प्रचारित भी किए जाते हैं । शाखा स्टोरों द्वारा बेची जाने वाली वस्तुओं के छूटांकन भी किया गया है तथा उनके मूल्य कैश रजिस्ट्रेशन मशीनों में दर्ज किए गए हैं । इनमें से किसी भी मामले में प्राप्त सभी शिकायतों की पुणरुपेण जांच की जाती है तथा जहां आवश्यक हो, केन्द्रीय भंडार सुधारात्मक कारवाई करता है ।

Functioning of public administration during political instability

2593. DR. MOHAN BABU:
SHRI SANJAY DALMIA:
SHRI SOLIPETA RAMACHANDRA REDDY:

Will the PRIME MINISTER be pleased to state:

(a) whether Government have formulated any scheme to ensure smooth and effective functioning of the public administration during the period of political instability or uncertainty; and

(b) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS AND THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI S. R. BALASUBRAMONIYAN): (a) No, Sir

(b) The question does not arise

Problems of Assistant's cadre of CSS

2594. PROF. RAM KAPSE: Will the PRIME MINISTER be pleased to state:

(a) whether Government's attention has been drawn to the newsitem 'Defence Ministry staffer commits suicide', published in the Times of India, dated the 22nd July, 1997;

(b) if so, whether the incident exposes the insensitive approach of Government towards resolving the poblems being faced by the Assistant's Cadre of the Central Secretariat Service;

(c) the reaction of Government to the above incident; and

(d) the steps being taken to ensure a better deal for the Assistants of the CSS cadre?

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS AND THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI S. R. BALASUBRAMONIYAN): (a) Yes, Sir.

(b) to (d). The Government is not insenitive to the career prospects of the Assistant's cadre of the Central Secretariat Service. In fact, while the rules provide for filling up 20 percent of the vacancies in Section Officers grade through direct recruitment, 40 percent of the vacancies of every year are earmarked for seniority quota and the remaining 40 percent ae kept for the more meritorious Assistants to be filled up on a limited departmental examination held through the UPSC. In order to maitain parity in promotion in seniority quota between the Assistants spread out in different Ministries/Departments of the Govt. of India, every year a zone of consideration is issued for this purpose. In the last three years the number of persons who are promoted from Assistants' grade to Section Officers grade in the seniority quota as well as the Departmental Examination quota are as follows:—

Year	By seniority	By LDCE
1992	80	67
1993	120	102
1994	116	78